

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

In re:  
William Scott Kuellertz,

APPLICATION  
TO SELL PERSONAL PROPERTY

Case No. 12-30139

Debtor

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TO: MARGARET CANGILOS-RUIZ, U.S. Bankruptcy Court Judge

The application of the Chapter 7 trustee, Randy J. Schaal, Esq., 312 Broad Street,  
Oneida, NY 13421, respectfully shows:

1. Heretofore the debtor filed a Chapter 7 bankruptcy on or about January 31, 2012.
2. That the bankruptcy petition lists an accounts receivable with Edward Albro being a note and mortgage on a marina for the amount of \$31,320.21. The debtor can take the wild card exemption of \$11,270 leaving the amount of \$20,050.21 on the mortgage which would belong to the bankruptcy estate. That Edward Albro makes monthly payments of \$263.98 to Anthony Inserra, Esq., attorney for debtor, towards the wild card exemption amount of \$11,270. To date, Mr. Inserra is holding \$4,486.76. Therefore, the bankruptcy estate would not even receive any monies on the note and mortgage for at least another two years. If he was to start making the remaining payments in two years to the bankruptcy estate the estate would be collecting monies until 2022. Also, the amounts collected by the trustee for the bankruptcy estate would be subject to bank and technology fees.

3. Anthony Inserra, Esq., debtor's counsel, has been collecting post-petition

payment. Said amount collected as of December 5, 2013 is \$4,486.76. Mr. Albro will pay Mr. Inserra on behalf of the debtors the amount necessary to satisfy the difference between what Mr. Inserra is holding and the wild card exemption of \$11,270.

4. That Edward Albro has offered (\$5,000) to buyout the remainder of the bankruptcy estate's portion of the note and mortgage.
5. Said offer is in the best interest of the bankruptcy estate.

WHEREFORE, trustee requests a Court Order allowing him to sell the trustee's interest in the remainder of the bankruptcy estate's portion of the note and mortgage for the sum of (\$5,000) to Edward Albro or to the highest bidder.

DATED: 1/7/14

*Randy J. Schaal*  
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